

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

*LANDS – Hyderabad District – Asifnagar Mandal- Conversion of lease hold rights into free hold rights in respect of Non-ISF lands located in premises No. 10-2-289/3, Mallepally Village of Asifnagar Mandal to an extent of 1324 Square Yards in favour of Sri Mohammed Mutahar Ali Khan S/o Mohd. Mansoor Ali khan in terms of G.O. Ms. No.1340, Revenue (Assn.III) Department, dated 21.11.2008 – Permission accorded – Orders – Issued.*

---

Revenue (Assignments.III) Department

**G.O. Ms. No. 612**

**Dated 31.05.2011.**

**Read the following :-**

- (1) G.O. Ms. No.1340, Revenue (Assn.III) Department, dated 21.11.2008.
- (2) From the Special Chief Secretary and Chief Commissioner of Land Administration, AP Hyderabad Letter Ref. No. S4/286/2010, dated 29.11.2010.
- (3) Government Memo. No. 55562/Assn.III(2)/2010-1 dated 27.12.2010 addressed to Special CS and CCLA –AP Hyderabad.
- (4) From the Special Chief Secretary and Chief Commissioner of Land Administration, AP Hyderabad Letter Ref. No. S4/286/2010, dated 18.04.2011.

-:O:-

**ORDER :-**

*In the G.O. 1<sup>st</sup> read above Government have issued orders for conversion of lease hold rights into free hold rights in respect of Non-ISF lands in Hyderabad area on payment of conversion charges and the Chief Commissioner of Land Administration AP Hyderabad has been requested to take necessary further action on the applications received for conversion of lease hold rights into free hold rights and in respect of applications above the extent of 501 Square yards shall be submitted to Government along with record of enquiry for consideration and approval.*

**2.** *The District Collector – Hyderabad in Letter No. C1/60/2009 dated 07.04.2010 addressed to the Special CS and CCLA submitted that one Sri Mohammed Mutahar Ali Khan S/o Mohd. Mansoor Ali Khan, has filed an application for conversion of lease hold rights into free hold in respect of Non-ISF lands located in premises No. 10-2-289/3, Mallepally Village of Asifnagar Mandal to an extent of 1324 Square Yards in terms of G.O 1<sup>st</sup> cited. The District Collector also submitted that enquiry reveals that the subject Non-ISF land is located in TS No.10, Block-D, Ward No.38 of Mallepally Village and on verification of TSLR, it is noticed that the name of Harish Chandra S/o Archana Chandra in Col. No. 23 of Town Survey Land Records and found that one old building is existing on ground and the premises No. 10-2-289/3 is assigned to the above building, the total area on ground is 1202 Square Meters or 1437.5 Square Yards, but the applicant has filed the documents of Agreement of Sale cum GPA for an extent of 1324 Square yards or 1107 Square meters which is 95 Square meters less than the actual area on ground.*

**3.** *It has been further submitted that on perusal of the report and relevant documents of Tahsildar, Asifnagar Mandal it was noticed that a plot of land bearing premises No. 10-2-289/3 admeasuring 5413 Square Meters situated at Mallepally, Hyderabad is originally a lease land property and the lease was granted by the then Nizam of Hyderabad in favour of Lr. Col. Abbas Mehdi for a premium of O.S. Ts.5413.8.0 and on an annual ground rent of O.S. Rs.16.12.0 in Ir. No. 3373 dated 18.3.1950 of the Army Secretariat erstwhile, Hyderabad Government in G.O. Ms. No. 22, Revenue dated 03.01.1959, the lessee was permitted to dispose of the whole or a portion of the land admeasuring 5,413 Square yards situated at Mallepally in Hyderabad City to enable him to either purchase or to build a house.*

**4.** *It has also been submitted that Government have issued G.O. Ms. No. 1058, Revenue Department, dated 15.10.1968 granted permission to the lessee Lt. Col. Abbas Mehdi to sellout (4) plots in favour of the following (4) plots in favour of the following (4) persons i.e.*

contd.2.

**:: 2 ::**

- (1) Sri Iqbal Chand 1362 Square Yards
- (2) Dr. Bankat Chandra 1353 Square Yards
- (3) Dr. Harish Chandra 1324 Square Yards and
- (4) Dr. Quasim Hussain Siddiqui 1369 Square Yards and extended the lease period for 99 years with effect from 10.04.1950, subject to the condition that the terms of original lease granted in favour of Major Abbas Mehdi shall be remained unaltered.

**5.** Subsequently, the legal heirs of late Dr. Harish Chandra namely Smt. Pratibha Harish Chandra ( wife), Mr. Rohit Chandra (son), Mr. Raman Chandra ( Grand son) have executed an agreement of Sale / Development / GPA in favour of the present applicant Sri Mohammed Mukthakar Ali Khan on 14.05.2004 for an extent of 1324 Square Yards in premises No. 10-2-289/3, Mallepally Village of Asifnagar Mandal.

**6.** In the reference 2<sup>nd</sup> read above the Special CS and CCLA interalia submitted that in the instant case, consequent to the death of the lessee Sri Harish Chandra ( death certificate enclosed), the legal heirs of Late Harish Chandra viz., Smt. Pratibha Harish Chandra ( wife ) Mr. Rohit Chandra (son), Mr. Raman Chandra ( Grand son) ( Legal Heir Certificate enclosed) have executed an agreement of sale / development / GPA in favour of the present applicant Sri Mohammed Mukthakar Ali Khan on 14.05.2004 for an extent of 1324 Square Yards. As could be seen from the transactions pertaining to the Non-ISF lands, the Government issued the orders permitting the lessees to sale or to transfer. But, in the instant case the legal heirs of late Sri Harish Chandra without such permission of the Government, as per the covenant mentioned therein in the Lease Deed at "G" sold away the lease property under the tripartite agreement i.e. Agreement of Sale / Development-cum-General power of Attorney. In the instant case, the third party to the above agreement and Developer Sri Modh. Mutahar Ali khan S/o Mohammed Masoor Ali khan applied for conversion of the subject lease hold to free hold and the Collector – Hyderabad District sent the proposal in his favour.

**7.** It has also been submitted that the Government vide G.O. Ms. No. 1340, Revenue (Assn.III) Department, dated 2.11.2008 while approving the scheme for conversion of Non-ISF lease hold lands into free hold in Hyderabad District with conversion charges at the rates specified therein, shown against the extents for residential and commercial leases, duly enumerating the conditions for levy of conversion charges and concessions and also penal provisions for applying the rates for commercial purposes as decided by the Special CS and CCLA, Hyderabad, where residences were converted into commercial purposes, such as commercial complexes / flats in violation of lease conditions and to levy penalty amount equal to 10% of conversion charges, where the buildings in the leased lands, without sanction of building Plan by the GHMC. Except the above, there is no provision in the said G.O. specifying the procedure to be followed incase of the leases sold away, without the prior permission of the competent authority. In case of leases in Secunderabad Area, by virtue of the powers vested with the Chief Commissioner of Land Administration under rule 22 of Andhra Pradesh (Secunderabad Area) Land Administration Rules, 1976, the proposals received from the Estate Office, Secunderabad for transfer and conversion of lease hold rights into free hold rights, where the lease land is sold away without the permission of the competent authority, are being regularized by levying the additional compounding fee for major violations, as specified in the Annexure IV of G.O. Ms. No. 816, Revenue (Assn.III) Department, dated 09.08.1994.

**8.** While furnishing the above information, the said proposal has been sent to Government along with the documents for taking further necessary action in the matter.

**9.** In the reference 4<sup>th</sup> read above, when called for a further report the Special CS and CCLA has submitted that that the actual amount to be collected for conversion of "lease hold rights" into "free hold rights" in respect of NON-ISF land comprising of Premises No.10-2-289/3 measuring 1437.5 Square Yards located in TS No.10, Block-D, Ward No.38 of Mallepally Village, Asifnagar Mandal in favour of Sri Mohammed Mutahar Ali Khan S/o Mohd Mansoor Ali Khan is Rs.1,15,34,391/- at rate of 30% of the basic value.

contd.3.

**:: 3 ::**

**10.** In the circumstances stated by the Collector – Hyderabad and Chief Commissioner of Land Administration AP Hyderabad, Government have examined the matter, and after careful consideration hereby accord permission to the Special CS and for conversion of "lease hold rights" into "free hold rights" in respect of NON-ISF land comprising of Premises No.10-2-289/3 measuring 1437.5 Square Yards located in TS No.10, Block-D, Ward No.38 of Mallepally Village, Asifnagar Mandal in favour of Sri Mohammed Mutahar Ali Khan S/o Mohd Mansoor Ali Khan is Rs.1,15,34,391/- at rate of 30% of the basic value in terms of G.O. Ms. No.1340, Revenue (Assn.III) Department, dated 21.11.2008 .

**11.** The Special Chief Secretary and Chief Commissioner of Land Administration, AP Hyderabad / District Collector – Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Special Chief Secretary and Chief Commissioner  
of Land Administration, AP – Hyderabad.  
The District Collector – Hyderabad.

Copy to:  
The Applicant [ thro' Collector - Hyderabad]

/ Forwarded :: By Order /

SECTION OFFICER